

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:04CR3124
)	
Plaintiff,)	
vs.)	ORDER
)	
HUNG Q. DAO,)	
)	
Defendant.)	

Pursuant to F.R.A.P. 24(a), and construing the papers liberally,

IT IS ORDERED that:

1. Defendant's appeal appears to be taken in good faith;
2. Defendant's motion to proceed in forma pauperis on appeal (filing 37, part 1) is granted;
3. The court reporter is directed to prepare and file an original transcript of the proceedings in this matter, with the expense thereof to be paid by the United States pursuant to 28 U.S.C. § 753(f), with the understanding that I certify that the appeal is not frivolous and apparently presents a substantial question;
4. Defendant's motion for appointment of counsel (filing 37, part 2) is referred to the United States Court of Appeals for the Eighth Circuit for disposition, as appropriate; and
5. The clerk is directed to process the appeal and to provide a copy of this order to the United States Court of Appeals for the Eighth Circuit.

DATED: September 9, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge